

From: [McKenna, Jim](#)
To: [Sean Sheldrake/R10/USEPA/US@EPA](#)
Cc: [rjw@nwnatural.com](#); [Mark Ader/R10/USEPA/US@EPA](#); [LaFranchise, Nicole](#); [Chip Humphrey/R10/USEPA/US@EPA](#); [Eric Blischke/R10/USEPA/US@EPA](#); [Kristine Koch/R10/USEPA/US@EPA](#); [Koehl, Krista](#); [bhung@anchorenv.com](#); [Eversmeyer, Steve](#); [Lori Cora/R10/USEPA/US@EPA](#)
Subject: RE: 2005 EPA letter to LWG chairs regarding dive safety
Date: 12/16/2008 01:33 PM

Sean:

Thank you for forwarding a copy of this 2005 letter from EPA. I do recall receiving this letter in 2005, however this letter does not address the issue we discussed on the phone yesterday. In particular, you made reference to numerous historical HASP and OSHA violations related to diving work performed by contractors for the Lower Willamette Group (LWG, of which the Port is a member). You have made similar assertions several times over the last few months, referring to a pattern of poor performance and violations associated with various diving projects at the Portland Harbor Superfund Site. When you mentioned it again this yesterday I responded by stating I am unaware of any such violations by LWG contractors, and do not recall EPA raising concerns about poor performance by LWG diving contractors. You said it was spelled out in a 2005 letter from EPA and that you would provide a copy of that letter.

Upon review of the 2005 letter I do not see any reference to concerns of HASP or OSHA violations. The letter simply points out that dives have taken place in Portland Harbor to support sampling, monitoring and other activities, and that similar activities are expected to occur in the future. The letter outlines some OSHA requirements associated with diving, and provides a list of "general safety practices" that parties "may wish to consider". The Port of Portland takes health and safety matters very seriously and will heed any concern raised by EPA on this matter. If you or anyone else at EPA is aware of specific situations where LWG contractors have violated the site-specific HASP or OSHA regulations please feel free to bring it to my attention.

Thanks, Jim.

-----Original Message-----

From: Sheldrake.Sean@epamail.epa.gov
[mailto:Sheldrake.Sean@epamail.epa.gov]
Sent: Monday, December 15, 2008 12:55 PM
To: McKenna, Jim; LaFranchise, Nicole; Koehl, Krista;
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Cc: rjw@nwnatural.com; Ader.Mark@epamail.epa.gov;
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Koch.Kristine@epamail.epa.gov; Sheldrake.Sean@epamail.epa.gov
Subject: 2005 EPA letter to LWG chairs regarding dive safety

Jim,

Here's the letter I was referencing just now in discussing the T4 diver PPE problem. This letter was sent after several dive contractors in the harbor were observed without appropriate PPE, not conducting decon, and in some cases in violation of basic OSHA regulations (e.g. the earlier T4 contractor HASP where solo diving with no reserve breathing gas). I should point out that since the writing of this letter, USCG (http://www.access.gpo.gov/nara/cfr/waisidx_98/46cfr197_98.html) regulations now apply also to deep water port "work/commercial" diving.

[http://yosemite.epa.gov/R10/CLEANUP.NSF/6d62f9a16e249d7888256db4005fa293/31ae45c9c90a674988256e470062ced9/\\$FILE/Dive%20Safety%206%2022%202005.pdf](http://yosemite.epa.gov/R10/CLEANUP.NSF/6d62f9a16e249d7888256db4005fa293/31ae45c9c90a674988256e470062ced9/$FILE/Dive%20Safety%206%2022%202005.pdf)

Bob--I wanted to send this to you as an fyi in your role as LWG chair, as an update to the 2005 letter.

Thank you.

S

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Portland Harbor Cleanup:
<http://yosemite.epa.gov/r10/cleanup.nsf/sites/ptldharbor>
Deliveries: 9th floor mailroom
Visitors: Check-in @ PERC / Service Center on 12th floor:
<http://yosemite.epa.gov/r10/extaff.nsf/PERC/Visiting+Seattle>